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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kutchan et al

Serial No.: 09/937,665

Art Unit:

Filed

September 26, 2001

Examiner:

For

CODEINONE REDUCTASE FROM ALKALOID POPPY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on

January 2, 2002

(Date of Deposit)

John W. Harbour

(Name of applicant, assignee, or Registered Representative)

(Signature)

January 2, 2002

(Date of Signature

BOX MISSING PARTS Commissioner for Patents Washington, D.C. 20231

SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Toni M. Kutchan, Meinhart H. Zenk, David G. Atkins and Anthony J. Fist entitled CODEINONE REDUCTASE FROM ALKALOID POPPY attorney Docket No.J&J-1825, to complete, pursuant to Rule 51, this application filed on September 26, 2001 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/J&J1825/JWH in the amounts of \$13.0.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/J&J-1825/JWH. This sheet is submitted in triplicate.

Respectfully submitted,

04/01/2002 BCAMPBEL 00000008 100750 09937665

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130.00 CH

John W. Harbour Reg. No. 31,365

Attorney for Applicant(s)

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2169 #3

GERMANY

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. PTO/SB/01 (10-00) Approved for use through 10/31/2002, ОМВ 0651-0032

Under the Paper	work Reduction Act of 1995, no o	ersons are required	U.S to respond to a c	. Patent and Trademark collection of information u	Office; U.S. DEPARTMENT OF COMMERCE ruless it contains a valid OMB control number	
DE	CLARATION AND		1	Cocket Number	J&J-1825	
	POWER OF ATTORNEY				Kutchan et al	
	ILITY OR DESIGN IT APPLICATION			ed Inventor COMPLE	TE IF KNOWN	
2	7 CFR 1.63)		Applicatio	n Number		
Declaration Submitted w Initial Filing	OR Initial Filing (Surcharge	Filing Date	9	September 26, 2001	
	(37 CFR 1.16)	e)) required)	Group Art	Unit		
			Examiner	Name		
As a below named invent	or, I hereby declare th	at:		·		
My residence, mailing addr I believe I am the original, f plural names are listed belo entitled:	irst and sole inventor (if	only one name	e is listed he	alour) or an origina	al, first and joint inventor (if sought on the invention	
	CODEINONE R	EDUCTASE FI (Title of the In		LOID POPPY		
the specification of which						
is attached hereto		-				
OR						
was filed on (MM/DD/Y	YYY) as United	States Applica	ation Numbe	er or PCT Internat	ional Application Number	
I hereby state that I have revamended by any amendment	viewed and understand nt specifically referred to	the contents o	f the above	identified specific	ation, including the claims, as	
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.						
hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.						
Prior Foreign Application Number(s)	Country	Foreign Fil (MM/DD/	_	Priority Not Claimed	Certified Copy Attached? YES NO	
PP 9463 PCT/AU00/00249	AU PCT	03/26/1 03/24/2				
Additional foreign applic	ation numbers are listed	on a supplem	nental priorit	y data sheet PTC	/SB/02B attached hereto:	

#	4/	5
***	4/	•

	ARATION - Utility or Design Patent /	
I hereby claim the benefit under 35 U.S	S.C. 119(e) of any United States provisiona	al application(s) listed below.
Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
provided by the first paragraph of Title 35	of this application is not disclosed in the prior b, United States Code, §112, I acknowledge ulations, §1.56(a) which occurred between the f this application:	the duty to disclose material information as ne filing date of the prior application and the
Application Serial No.	Filing Date	Status
		Patented Patented Patented
I hereby appoint:		
Practitioners at Customer Number AND		Place Customer Number Bar Code Label Here
Practitioner(s) named below: Name	Registration Number	
as my/our attorney(s) or agent(s) to pros States Patent and Trademark Office con	secute the application identified above, and nected therewith.	to transact all business in the United
Address all telephone calls to John W. Harbour a	at telephone number (732) 524-2169.	
Di	omer Number or Code Label <u>090027777</u> OR	☐ Correspondence address below
Address:		
Address:		
City:	State:	ZIP
Country	Telephone:	Fax:

information and belief are believed to that willful false statements and the I U.S.C. 1001 and that such willful fals issued thereon.	o be true; and furthe like so made are our	er that these st	tatements were	made with the knowledge				
NAME OF SOLE OR FIRST INVENTOR:	Д АР	etition has been	filed for this unsign	ned inventor				
Given Name (first and middle [if any]) <u>Toni M.</u>	Given Name Family Name							
Inventor's X TOW M	Lutelle	au	Date × 2	6 Sagt. 2001				
Residence: City	State Munich	Cour	DEX ntry Germany	Citizenship German				
Mailing Address Pfeiveftlstrasse 17,	 _							
City	State Munich	ZIP	D-81243	Country Germany				
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF SECOND INVENTOR:	□ А ре	tition has been fi	iled for this unsigne	ed inventor				
Given Name (first and middle [if any]) Meinhart H.	Given Name Family Name							
Inventor's X Signature X	Meuk.		Date × 26	Septente 2001				
Residence: City	State Munich	DE) Count	try Germany	/ Citizenship German				
Mailing Address Pfeiveftlstrasse 17,								
City	State Munich	ZIP D	0-81243	Country Germany				
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF THIRD INVENTOR:	A peti	ition has been file	ed for this unsigned	d inventor				
Given Name (first and middle [if any]) David G.		Family Name or Surname	Atkins					
Inventor's Signature		İ						
Signature X			Date X					
Residence: City Darlinghurst	State NSW	Country		Citizenship Australian				
	State NSW	Countr		Citizenship Australian				

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on						
information and belief are believed that willful false statements and the U.S.C. 1001 and that such willful falissued thereon.	o be ti like so	rue; and furthe made are ou	er that ti nishahli	nese s	itatements wei	re made with the knowledge
NAME OF SOLE OR FIRST INVENTOR:		Д Ар	etition ha	s been	filed for this unsi	gned inventor
Given Name (first and middle [if any]) Anthony J.	Family Name or Surname Fist					
Inventor's Signature					Date X	
Residence: City Norwood		State Tasman	ia	Cou	ntry Australia	Citizenship Australian
Mailing Address 36 Beech Road		7	<u> </u>			
City Norwood		State Tasmani	ia	ZIP	7250	Country Australia
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF SECOND INVENTOR:	<u> </u>	☐ A pe	tition has	been f	iled for this unsig	ned inventor
Given Name (first and middle [if any])			Family or Sum	Name		
Inventor's Signature	 ,				Date	
Residence: City		State		Coun	try	Citizenship
Mailing Address						
City		State		ZIP		Country
I hereby declare that all statements m information and belief are believed to that willful false statements and the lik U.S.C. 1001 and that such willful false issued thereon.	CE SO D	e; and juriner : nade are publi	inai ine shabla l	se sta	tements were	made with the knowledge
NAME OF THIRD INVENTOR:		☐ A peti	ition has I	been fil	ed for this unsign	ed inventor
Given Name (first and middle [if any])			Family N or Suma			
Inventor's Signature			····		Date	
Residence: City		State	Country		γ	Citizenship
Mailing Address						
City		State		ZIP		Country

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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	ARATION		Attorney Doo	ket Number	J&J-1825			
POWER	AND OF ATTORNEY		First Named	Inventor	Kutchan_et a	I		
ழ _ு	TY OR DESIGN			COMPLET	TE IF KNOWN	1		
1 N/ A TO MICO	APPLICATION CFR 1.63)		Application N	lumber				
Declaration Submitted with Initial Filing	Declaration Subn		Filing Date	·	September 2	6, 2001		
	(37 CFR 1.16(e))		Group Art Ur	nit				
			Examiner Na	ame		- ' "		
My residence, mailing addres	As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention							
entitied.	CODEINONE REI			OID POPPY				
	(Title of the li	nvention)					
the specification of which	•	•						
is attached hereto		,						
OR								
was filed on (MM/DD/Y)	YYY) as United S led on (MM/DD/YYYY)	itates Applic	ation Number	or PCT Interna	ational Applica	tion Number		
I hereby state that I have revi amended by any amendment			of the above in	dentified specit	fication, includ	ing the claims, as		
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.								
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.								
Prior Foreign Application Number(s)	Country		Filing Date D/YYYY)	Priority Not Claime		ertified Copy Attached? ES NO		
PP 9463 PCT/AU00/00249	AU PCT		6/1999 4/2000					
Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:								

DECLARATION - Utility or Design Patent Application								
I hereby claim the benefit under 35 U.S.C	. 119(e) of any United States provisional a	pplication(s) listed below.						
Application Number(s)	Filing Date (MM/DD/YYYY)							
		Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.						
I hereby claim the benefit under Title 35. Ur	nited States Code. § 120 of any United State	s application(s) listed below and insofar						
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:								
Application Serial No.	Filing Date	Status						
		Patented Patented Patented						
I hereby appoint:								
Place Customer Number Bar Code Label Here								
Practitioner(s) named below: Name Registration Number								
		*						
as my/our attorney(s) or agent(s) to prose States Patent and Trademark Office conn	ecute the application identified above, and nected therewith.	to transact all business in the United						
Address all telephone calls to John W. Harbour a	t telephone number (732) 524-2169.							
Customer Number Direct all correspondence to: ☑ or Bar Code Label 000027777 OR ☐ Correspondence address below								
Name:								
Address:								
Address:								
City:	State:	ZIP.						
Country	Telephone:	Fax:						

information and belief are believed to that willful false statements and the like U.S.C. 1001 and that such willful false issued thereon.	oe true; and e so made a	further are pun	that the	se sta by fine	tements were r or imprisonme	made with the knowledge ent, or both, under 18
NAME OF SOLE OR FIRST INVENTOR:	NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any]) Anthony J.	·		Family I		Fist	
Inventor's Signature					Date	
Residence: City Norwood	State	Tasmani	a	Count	ry Australia	Citizenship Australian
Mailing Address						
City Norwood		Tasmani		ZIP 7		Country Australia
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF SECOND INVENTOR:		☐ A ре	etition has	been fil	ed for this unsigne	ed inventor
Given Name (first and middle [if any])			Family I			
Inventor's Signature					Date	
Residence: City	State			Count	ry	Citizenship
Mailing Address	· · · · · · · · · · · · · · · · · · ·					
City	State			ZIP		Country
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF THIRD INVENTOR:		□Аре	etition has	been fi	led for this unsigne	ed inventor
Given Name (first and middle [if any]) .			Family or Surn		<u> </u>	
Inventor's Signature					Date	
Residence: City	State			Count	try	Citizenship
Mailing Address	,					
City	State			ZIP		Country

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NAME OF SOLE OR FIRST INVENTOR:		☐ A pe	etition has	been fil	ed for this unsigne	ed inventor	
Given Name (first and middle [if any]) Toni M. Family Name or Surname Kutchan							
Inventor's Signature					Date		
Residence: City	State	Munich	ļ	Count	ry Germany	Citizenship	German
Mailing Address Pfeiveftlstrasse 17,							
City	State	Munich		ZIP [)-81243	Country Ge	ermany
I hereby declare that all statements me information and belief are believed to that willful false statements and the like	I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent						nents made on he knowledge under 18
NAME OF SECOND INVENTOR:	·	□Аре	etition has	been fil	ed for this unsigne	ed inventor	
Given Name (first and middle [if any]) Meinhart H.		•	Family or Sum		Zenk		
Inventor's Signature					Date		
Residence: City	State	Munich		Count	try Germany	Citizenship	German
Mailing Address Pfeiveftlstrasse 17,							
City	State	Munich		ZiP [D-81243	Country Ge	ermany
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NAME OF THIRD INVENTOR:		∏Аре	etition has	been fi	led for this unsigne	ed inventor	
Given Name (first and middle [if any]) David G.			Family or Surn	Name iame	Atkins		
Inventor's Signature	M	*		T	Date 24	Sorte	mbr 2001
Residence: City NEW YORK	State	N	NY	Coun	try USA	Citizenship	AUSTRALIAN
Mailing Address 45 W 60	x t S 1 , /	PT	17A				
city NEW YORK	State	N	/	ZIP	10023	Country	UAA

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Under the Paperwor	k Reduction Act of 1995, no person	ons ere required t	o respond to a collec	tion of information u	less it contains	a valid OMB	control number.	
DECI	_ARATION AND		Attorney Doc	cket Number	J&J-1825	5		
POWER (OF ATTORNEY		First Named	Inventor	Kutchan	et al		
	ITY OR DESIGN				TE IF KNO			
	APPLICATION							
(37	CFR 1.63)		Application N	Number				
Declaration Submitted with Initial Filing	OR Initial Filing (Su	rcharge	Filing Date	-	Septemb	er 26, 20	01 .	
	(37 CFR 1.16(e)) required)	Group Art U	nit				
			Examiner Na	ame				
As a below named invento	r, I hereby declare that	t:						
My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:								
	CODEINONE RE	DUCTASE F		OID POPPY			•	
the specification of which								
is attached hereto								
OR								
was filed on (MM/DD/Y)	YYY) as United ded on (MM/DD/YYYY)		cation Number	or PCT Intern	ational App	olication N	lumber	
I hereby state that I have rev amended by any amendmen			of the above i	dentified specif	ication, inc	cluding the	e claims, as	
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.								
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Prior Foreign Application Number(s)	Country		Filing Date D/YYYY)	Priority Not Claime	ed .	Certified Attack YES		
PP 9463 PCT/AU00/00249	AU PCT		6/1999 4/2000					

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the subject matter of each of the claims of provided by the first paragraph of Title 35, defined in Title 37, Code of Federal Regulanational or PCT international filing date of the subject of the subject in the subje		nited States application in the manner e duty to disclose material information as filing date of the prior application and the						
Application Serial No.	Filing Date	Status						
	·	Patented Patented Patented						
I hereby appoint:								
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AND								
Practitioner(s) named below: Name Name as my/our attorney(s) or agent(s) to prose	Practitioner(s) named below: Name Registration Number							
States Patent and Trademark Office con	nected therewith.							
Address all telephone catls to John W. Harbour a	nt telephone number (732) 524-2169.							
	omer Number r Code Label 000027777 OR	☐ Correspondence address below						
Name:								
Address:								
Address:								
City:	State:	ZIP						
Country	Telephone:	Fax:						

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF SOLE OR FIRST INVENTOR:	A pe	etition has been fi	led for this unsigne	ed inventor		
Given Name (first and middle [if any]) Toni M.		Family Name or Surname	Kutchan			
Inventor's Signature	<u>-</u>	· .	Date ×			
Residence: City	State Munich	Coun	try Germany	Citizenship German		
Mailing Address Pfeiveftistrasse 17,						
City	State Munich	ZIP (D-81243	Country Germany		
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Given Name (first and middle [if any]) Meinhart H.	·	Family Name or Surname	Zenk			
Inventor's Signature			Date X			
Residence: City	State Munich	Coun	try Germany	Citizenship German		
Mailing Address Pfeiveftlstrasse 17,						
City	State Munich	ZIP (D-81243	Country Germany		
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NAME OF THIRD INVENTOR:	☐ A pe	etition has been fi	led for this unsign	ed inventor		
Given Name (first and middle [if any]) David G.		Family Name or Surname	Atkins			
Inventor's Signature			Date 😾			
Residence: City Darlinghurst	State NSW	Coun	try Australia	Citizenship Australian		
Mailing Address 82 Womerah Avenue			·			
City Darlinghurst	State NSW	ZIP 2	2010	Country Australia		

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4-00